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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/076,537 | 02/19/2002 | Raymond Anthony Joao | RJ520 | 1689 |

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EXAMINER

CHANNAVAJJALA, SRIRAMA T

ART UNIT PAPER NUMBER

2166

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/076,537

Applicant(s)

JOAO, RAYMOND ANTHONY

Examiner

Srirama Channavajjala

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 21-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Examiner acknowledges applicant's amendment filed on 12/13/2004.
2. Claims 1-20 have been cancelled [12/13/2004].
3. Claims 21-40 have been added [12/13/2004].
4. Claims 21-40 are pending in this application.

Drawings

5. The drawings filed on 2/19/2002 are acceptable for examination purpose

Priority

6. Applicant's claim for domestic priority under 35 U.S.C. 119(e) is acknowledged based on the provisional application SI.No. 60/271,658 filed on 2/27/2001.

Information Disclosure Statement

7. The listing of references in the **specification at page 63-65** is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the examiner on form PTO-892 has cited the references, they have not been considered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 21, 24-29, 32-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Beezer et al. [hereafter Beezer], US Patent No. 6597314.

9. As to claim 21, Beezer teaches a system which including 'an electronic book apparatus' [Abstract, line 1-2], electronic book apparatus corresponds to Beezer's electronic book as detailed in Abstract;

'a memory device, wherein the memory device stores book information' col 3, line 44-49], memory device stores book information corresponds to electronic books may stored in memory media for example magnetic cassettes, flash memory cards, digital versatile disks, ROM, RAM and like as detailed in col 3, line 44-49;

'an input device, wherein a request by a user to view book information is input via the input device' [col 3, line 54-58], input device corresponds to Beezer's input devices such as keyboard element 101 as detailed in col 3, line 54-55;

Art Unit: 2164

'a display device, wherein the book information requested by the user is presented via the display device' [col 3, line 63-65, col 4, line 39-40, fig 2], display device corresponds to monitor element 107, and element fig 2, element 212;

'a processing device, wherein the processing device processes a reading termination instruction' [col 4, line 64-67];

'processing device terminates a presentation of the book information in response to the reading termination instruction' [col 5, line 40-44], Beezer specifically teaches user access and control settings for document viewing that including reading and termination because user selects sing touch screen both accessing and termination of reading; 'wherein the processing device identifies and stores information reading a first location in the book information, where the presentation of the book information is terminated, and further wherein a subsequent presentation of the book information commences from a second location in the book information' [col 5, line 62-65, col 6, line 66-67, col 7, line 1-4], Beezer specifically teaches user activities with respect to accessing topics, furthermore, user may select storing, updating in memory a pointer corresponding to user navigations to different contexts as detailed in col 6, line 66-67, col 7, line 1-4, therefore, first, second location in the book information corresponds to storing, updating user navigation to different contexts; 'wherein the subsequent presentation of an amount of book information previously presented to the user, and further wherein the amount of the re-presentation of book information previously presented to the user is programmably selected by the user' [col 6, line 46-56], Beezer teaches intelligent navigational capabilities, more specifically user may select various

Art Unit: 2164

setting, criteria control documents or document information and tracking the user's historical navigation as detailed in col 6, line 50-56.

10. As to claim 24, Beezer disclosed 'a printer, wherein the printer printed out at least a portion of the book information' [col 3, line 63-67].

14. As to claim 25, Beezer disclosed 'author of the book information' [col 4, line 42-45], on the other hand, Shi disclosed 'a transmitter and a receiver' [fig 2, element 610, 602]; 'wherein the transmitter transmits a message to a communication device' associated with an, and further wherein the receiver receives a second message from the communication device [see fig 2, col 8, line 61-64].

11. As to claim 26-28, Beezer disclosed 'the book information contains newspaper material, magazine material, educational material or textbook' [see fig 3, elements 312, 308], Beezer specifically teaches Library containing all kinds of information that including newspaper material, magazine material, educational material or textbook and like.

12. As to claim 29, Beezer disclosed 'apparatus is a personal digital assistant' [col 4, line 34], personal digital assistant computer corresponds to Beezer's hand held computer as detailed in fig 2.

Art Unit: 2164

13. As to claim 32-33, Beezer disclosed 'wherein the apparatus stores information regarding at least one of a note, notes and an outline, created by the user regarding the book information' col 4, line 57-63].

14. As to claim 34, Beezer disclosed 'wherein the memory device stores book information for a plurality of books' [col 4, line 55-67].

15. As to claim 35, Beezer disclosed 'wherein the user is a student enrolled in at least one course, and further wherein the memory device stores book information for a plurality of text books' [col 4, line 64-67,col 5, line 1-3].

16. As to claim 36, Beezer disclosed 'a receiver, wherein the receiver receives a download of the book information from a central processing computer' [col 4, line 27-33].

17. As to claim 37, Beezer disclosed 'wherein the book information is at least one of encoded or embedded with page number information, encoded with a digital code, and encoded with a time stamp' [col 5, line 62-65].

18. As to claim 38, Beezer disclosed 'wherein the book information contains text information' [col 5, line 10-18], on the other hand, Shi disclosed 'audio information' [see col 3, line 58-60].

Art Unit: 2164

19. As to claim 39, Beezer disclosed ' wherein the book information contains a video clip and text information' [col 3, line 63-65,col 4, line 55-60].

20. As to claim 40, Beezer disclosed 'wherein the apparatus facilitates real-time communication with at least one of an electronic book associated with a second user and a communication device associated with an author of the book information' [col 5, line 45-51].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. Claim 22- 23,30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beezer et al., [hereafter Beezer], US Patent No. 6597314, as applied to claim 21 above, further in view of Shi, US Patent No. 6438524

22. As to claim 22, Beezer disclosed 'a microphone' [col 3, line 56-57].

It is however, noted that Beezer does not specifically teach 'voice recognition software, verbal command or voice command into the apparatus' although Beezer teaches various input devices that including microphone as detailed in col 3, line 56-58.

On the other hand, Shi disclosed 'voice recognition software, [see Abstract, line 10-12],

Art Unit: 2164

Shi specifically teaches voice controlled translation device that users "voice recognition software verbal command or voice command into the apparatus" [col 3, line 58-61].

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Shi into providing help and settings control to users of an electronic book of Beezer et al. because both Beezer and Shi teach user interface controls and commands, more specifically Beezer teaches automatic or smart navigation of electronic book, setting control documents, target area of chapter of the help and setting control documents as detailed in col 1, line 61-66; while Shi is directed to voice controlled foreign language translation device, more specifically voice recognition software processes users voice and outputting corresponding phrase [see Abstract].

One of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Shi into providing help and settings control to users of an electronic book of Beezer et al. because that would have allowed users of Beezer to issues verbal commands to activate voice recognition to navigate electronic book in addition to touch screen to select required document, further user can enter one of several voice commands while in use [see Shi: col 4, line 53-56], thus improving the quality and reliability of the system

Art Unit: 2164

23. As to claim 23, Beezer disclosed 'wherein the user can advance to a next page of book information or return to a previous page of book information' [col 5, line 45-48, col 6, line 28-34]. On the other hand, Shi disclosed 'verbal command or the voice command' [col 4, line 32-34], Shi specifically teaches verbal command that recognizes user voice.

24. As to claim 30, Shi disclosed 'wherein the apparatus is a cellular telephone or a wireless telephone' [col 3, line 4-7], Shi specifically teaches wireless phones .

25. As to claim 31, Shi disclosed 'wherein the apparatus is a video telephone' [col 8, line 58-62].

Response to Arguments

Applicant's arguments at page 12-17 filed on 12/13/2004 with respect to cancelled claims 1-20 have been fully considered, further with respect to new claim 21-40, have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record

- | | | |
|----|---------------|---------|
| a. | US Patent No | 6597314 |
| b. | US Patent No. | 6438524 |

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is 571-272-4108. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popvici, can be reached on 571-272-4083. The fax phone numbers for the organization where the application or proceeding is assigned is 703/872-9306

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

SC
Patent Examiner.
April 11, 2005



SRIRAMA CHANNAVAJJALA
PRIMARY EXAMINER